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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,758	09/15/2003	Michael Olenick	310048-750 (AVERY-66280)	8611
47533	7590	12/29/2005	EXAMINER LABAZE, EDWYN	
INTELLECTUAL PROPERTY LAW OFFICE OF JOEL VOELZKE 400 CORPORATE POINTE, SUITE 300 CULVER CITY, CA 90230			ART UNIT 2876	
			PAPER NUMBER	

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

SA

Office Action Summary	Application No.	Applicant(s)	
	10/662,758	OLENICK ET AL.	
	Examiner	Art Unit	
	EDWYN LABAZE	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 and 136 is/are pending in the application.
- 4a) Of the above claim(s) 61-135 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 and 136 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3312004, 5102004, 10/13/05 7/11/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Receipt is acknowledged of IDS filed on 3/31/2004, 5/10/2004, 7/11/2005, and 10/13/2005.
2. Receipt is acknowledged of applicant's election of group I {including claims 1-60 and 136} filed on 10/17/2005.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14, 17-18, 20-22, 28-57, and 136 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zagami (U.S. 6,801,907) in view of Chamley et al. (U.S. 6,804,786).

Re claims 1-4, 9-10, 31-38, 43-44, 49-52: Zagami {herein after referred as "Zagami '907"} discloses system for verification and association of documents and digital images, which includes a camera 100 {also a scanner 102} for taking a photograph of a user, the photograph defining a user's photograph (col.8, lines 22+); a printer {through the document generated 108} (col.8, lines 30+); identification card media 200 {which could be a badge, visitor pass and the like}, the identification card media including at least one predefined identification card boundary (as shown in fig. # 5); and computer readable media {which could to be broadly interpreted as a software program}, wherein Zagami described the processing means as means to perform steps of storing an access permission designator in the database, querying the database to retrieve the

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access permission, see col.9, lines 30+; further method for control which utilizes at least one camera 434 operable to record a digital image of a person and issues a visitor pass combined with an image, see col. 10, lines 18+} containing computer instructions capable of causing a programmable computer operatively connected to the camera, the printer, and to a user interface, to prompt the user to input the user's name at the user interface {herein in flowchart of fig. # 5} (col.10, lines 50+); cause the camera to take the user's photograph, cause the printer to print identification card 512 indicia including at least the user's name and photograph onto the identification card media within the predefined identification card boundary. Zagami further teaches means of storing the time the user creates the identification badge and exits the facility, a sensing mechanism {herein a bar code reader 320} located at point of exit (col.10, lines 40+).

Zagami '907 fails to specifically teach a non-volatile memory for storing the user's name and photograph, the user's name and photograph being associated together within the memory, wherein the instructions are printer on paper.

Chamley et al. teaches user customer secure access token and multiple level portable interface, which includes a computer readable medium 100 having instructions to prompt a user to input an entry data (col.4, lines 10+); and a non-volatile memory 412 (col.8, lines 15+). Chamley et al. teaches that the instructions are displayed on a display screen 600 (see fig. # 4).

In view of Chamley et al.'s teachings, it would have been to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of a computer readable medium having instructions/commands operable to starting up the system, generating/creating the ID card, and printing the card and wherein the inputted data is stored in a non-volatile memory. Furthermore, such modification would provide a step-by-step guide-through to a user

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{especially if the system is self service i.e. a kiosk or a non-personnel desktop system} wherein the software programming interrogates a command {please enter your destination, length of visit duration, name of person related to the visit, and the like} and executes each user's input until determining whether or not to print the visitor's pass; and storing all inputted information a non-volatile memory capable of being rewritten with a number of user ID card distributed to authorized users. Moreover, such modification would have been an obvious extension as taught by Zagami.

Re claims 5, 42: Zagami '907 teaches a system, wherein the user's name at the user interface by swiping a driver's license through a magnetic card reader {as shown in the guard registration and disclosed as the entry reader or card reader 616} (col.10, lines 50+; col.11, lines 20+).

Re claims 6, 41: Zagami '907 discloses a system, wherein the user inputs the user's name at the user interface by selecting a name from a pick list (col.3, lines 8+; col.8, lines 61+).

Re claim 7: Zagami '907 teaches a system, wherein the user inputs the user's name at the user interface by spelling his name on either a keyboard or a touch screen 432/614 (col.10, lines 16+).

Re claim 8: Zagami '907 discloses a system, wherein the camera is a webcam [herein broadly interpreted as a digital camera 100} (col.8, lines 24+).

Re claim 11: Zagami '907 teaches a system, wherein the camera and the printer are housed within a self-serve kiosk (as shown in fig. # 4; col.5, lines 55+).

Re claim 12: Zagami '907 discloses a system, wherein the printer is a desktop printer (see fig. # 3).

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Re claim 14: Zagami '907 discloses a system, further a log creation module the log creation module capable of retrieving {Zagami teaches means of retrieving a unique identifier; see col.9, lines 30+, wherein the identifier is associated with the person to whom the card is created and said unique identifier is stored in a secure database 106; see col.8, lines 25+} names and photographs of a plurality of users for whom photographic identification cards have been created, and generating reports pertaining thereto (col.11, lines 20+).

Re claim 17: Zagami '907 teaches a system, further comprising a bar code reader, and wherein the identification card indicia printed on the identification card indicia includes a bar code which can be read by the bar code reader/scanner 102 (col.9, lines 10+).

Re claim 18: Zagami '907 discloses a system, wherein the identification card indicia printed onto the identification card includes additional information {herein the company affiliated of the visitor} entered by the user (see fig. # 5).

Re claim 21: Zagami '907 discloses a system, wherein the identification card indicia printed onto the identification card includes additional information {herein broadly interpreted as the unique identifier associated with the card} entered by someone other than the user (col.8, lines 30+).

Re claim 22: Zagami '907 teaches a system, wherein the identification card boundary comprises a boundary of the identification card media, the identification card media being less than a full size 8-1/2 x 11 inch sheet and less than an A4 size sheet (see fig. # 5 for the proposed badge 512).

Re claim 28: Zagami '907 as modified by Chamey et al. discloses a system, wherein the computer instructions include a photo retake function that allows a visitor to preview an image of

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a first photograph taken of him by the camera, and allows the visitor to initiate the taking of a second photograph for printing onto the identification card instead of the first photograph (see fig. # 5).

Re claim 39: Zagami '907 as modified by Chamey et al. discloses a system, wherein the user identifies himself via biometrics (col.5, lines 15+).

Re claim 47: Zagami teaches a system, further comprising verifying that the entrant is authorized to enter the facility by electronically comparing information provided by the user against a list {herein interpreted as a database or network memory 204} of authorized entrants (col.8, lines 40+).

Re claim 48: Zagami discloses a system, wherein the list of authorized entrants is maintained at a location remote {herein at the management terminal for correlating read data at the entrance against the file server} from the equipment (col.9, lines 65+; col.10, lines 1+).

Re claim 53: Zagami teaches a system, further comprising the step of providing a person at a location remote from the facility entrance, the remote person performing step based upon successful/positive completion (col.9, lines 65+; col.10, lines 1+).

Re Claims 54-57: Zagami discloses system for verification and association of documents and digital images, which includes a gangway systems comprising of five guard registration systems 312 and one exit, {each gangway system includes a photo registration station 310, a guard registration 312, a management/attendant terminal 318}; and wherein the photo registration can be moved to different locations as needed (col.9, lines 60-67; col.10, lines 1-25). Zagami further teaches that the identification cards are photographic identification card (see fig. # 5), and wherein the assistance comprises audible two-way communication (col.10, lines 32+), a

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first and second computer interfaces connected to at least one computer for providing to the attendant an attendant terminal and assistance (col.10, lines 1-32).

5. Claim 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zagami (U.S. 6,801,907) as modified by Chamley et al. (U.S. 6,804,786) and further in view of Zagami (U.S. 6,394,356).

The teachings of Zagami {hereinafter referred as “Zagami ’907”} have been discussed above. Zagami ’907 further teaches means of retaining the data pertaining to the user after the first visit (col.).

Zagami ’907 fails to teach upon a second visit, means of recalling the retained data to create a second identification card.

Zagami {hereinafter referred as “Zagami ‘356”} teaches a system, the system retains data pertaining to the user after a first visit by the user; upon a second visit {herein Zagami ‘356 refers to frequent visitors}, the user can recall the retained data for use in creating a second identification card such that the user can avoid certain information entry steps that were required of the user upon the user’s first visit, and wherein the system prompts the user upon a first visit to enter an email address and the system stores the retained data in association with the email address; and upon a second and subsequent visit by the user the user can enter the email address whereupon the system will recall the retained data and use the retained data in printing a second identification badge (col.6, lines 40-67).

In view of Zagami ‘356 teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Zagami ’907 as modified by Chamey et al. means of creating a second identification card upon recalling the

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retained/stored data from the first visit so as to save time. Furthermore, such modification would enable to speed up the authentication process and enables management to issue the ID card only verifying the stored data and the relation of the visit.

6. Claim 23-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zagami (U.S. 6,801,907) as modified by Chamley et al. (U.S. 6,804,786) and further in view of Haas et al. (U.S. 6,197,396).

The teachings of Zagami '907 as modified by Chamey et al. have been discussed.

Zagami '907 as modified by Chamey et al. fails to teach that the ID card/badge comprises a die cut, a two-sided identification badge, and wherein the identification card media comprises a paper label sheet.

Haas et al. teaches identification card strip assembly comprising of die cut 40 (as shown in fig. # 2), a two-sided card identification card 24 (as shown in fig. # 2; cols.5-6; lines 1-67), and wherein the card is a paper label sheet (col.2, lines 54-67).

In view of Haas et al.'s teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Zagami '907 as modified by Chamey et al. a die cut, a two-sided identification badge, and wherein the identification card media comprises a paper label sheet so as to provide a means for inserting a clip to hold the card. Furthermore, the die cut facilitates the use of badge clip 62 for exposing the card at anytime during the visit, and the two-side information badge {as shown in fig. # 7-8, 13-15, enables or allows the management/system administrator to print or display more data related either to the user or important data associated to the visit. Moreover, such modification would have been an obvious extension as taught by Zagami '907 as modified by Chamey et al.

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7. Claims 19, 29-30, and 136 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zagami (U.S. 6,801,907) as modified by Chamley et al. (U.S. 6,804,786) and further in view of Nassiri (US. 2003/0070072).

The teachings of Zagami '907 as modified by Chamey et al. have been discussed.

Zagami '907 as modified by Chamey et al. fails to teach means of prompting the user to sign the ID card, and a web browser.

Nassiri teaches system and method of identity and signature and document authentication using a video-conference, which includes means of prompting the user to sign the ID card (paragraph 29).

In view of Nassiri's teachings, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to employ into the teachings of Zagami '907 as modified by Chamey et al. means of prompting the user to sign the ID card. Although the system of Zagami '907 permits the user to enter information to be printed on the card, such modification {by modifying a subroutine of the software} would provide another means of authenticating the user and the issued card.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 58-60 are rejected under 35 U.S.C. 102(e) as being anticipated by Lenz et al. (US 2001/0053947).

Re claim 58: Lenz et al. discloses identification card personalization device with web browser, which includes means of providing to a person equipment {such as a printer, computer, camera and the like} and identification card media for making a photographic identification card 30 for himself, the photographic identification card including a photographic image and a name of the person (see paragraphs 0013, 0015-0017); recording/storing at a remote location an electronic record of the identification card including at least the person's name and a date on which the identification card was created (paragraph 0031).

Re claim 59: Lenz et al. teaches a system, wherein the electronic record includes a digital photograph/image {from digital camera 42} of the person and the person's name (paragraph 0015+, 0039+).

Re claim 60: Lenz et al. discloses a system, wherein the equipment includes a computer 32 running a web browser program {software application} (paragraph 0023); the computer is operatively connected through the browser program 20 to a web to a web server 22; the web creates the electronic record of the identification (paragraph 0037-0042).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lynch et al. (U.S. 6,632,250) discloses method and system for creating a card.

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Calvesio et al. (U.S. 6,867,683) teaches high security identification system for entry to multiple zones.

Lenz et al. (US 2001/0053947) discloses identification card personalization device with web browser.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

el
Edwyn Labaze
Patent Examiner
Art Unit 2876
December 23, 2005



THIEN M. LE
PRIMARY EXAMINER